

CITY OF WICHITA RACE/ORGANIZED WALK
PERMIT REGULATIONS

Adopted July 14, 2015

1.0 Objective: To regulate the use of streets, sidewalks, highways and other City right-of-way for all race events that require a permit under the Code of the City of Wichita (City Code). Race events are an important contributor to the quality of life for Wichita and are a welcome activity in our community. The following regulations are adopted in order to clarify the use of public rights-of-way and city property for such events with the purpose of protecting the health and public safety of citizens, limiting the inconvenience to residents, businesses, places of worship and learning and other regular users of public facilities and property, establishing a straightforward and accountable process for event organizers, and enabling public agencies to manage these events in a cost-effective and well-coordinated manner.

2.0 Scope: These regulations apply to races as that term is defined in Section 3.11.020(s) of the City Code: **Race means any organized activity: (1) Involving running, walking, biking, jogging, and includes, but is not limited to, fun runs, wheelchair races, roller-blading, marathons and triathlons, and events involving other means of transportation; (2) which is a scheduled public gathering of persons utilizing a fixed course that moves from one location to another when any portion of the event occurs on a public street, highway, trail or sidewalk; and (3) that is not held entirely within a City park or on privately maintained property, roads or streets. This term does not include ‘parades’ as that term is defined herein and are events regulated pursuant to Chapter 3.14 of this Code.**

3.0 Authority: These Regulations are adopted pursuant to Section 3.11.040 and 3.11.180 of the City Code. In the event that any regulation herein is inconsistent with the provisions set forth in Chapter 3.11 of the City Code, the regulations in this document shall be deemed applicable to community events that meet the definition of a race, as that term is defined in the City Code.

4.0 Permit required: In order to use public streets, highways, roads, trails, sidewalks or any public right-of-way, a permit must be obtained and the regulations in this document and the provisions of Chapter 3.11 must be followed.

5.0 City’s Responsibility:

5.1 Review and Approval of Applications: As set forth in Section 3.11.030, the Manager of Arts and Cultural Services or his or her designee (hereinafter “The Manager”) is directed to carry out the provisions of this document. All applications for race events will be submitted through the Community Event permitting process as established by The Manager. The Manager shall also consult with and assemble as necessary a Community Events Task Force that will act as an administrative review committee to provide input on the review and approval of race event applications as required by this document.

5.2 Pre-approved routes. The Manager has identified a number of different routes for race events within Wichita, utilizing public streets, sidewalks, trails and right-of-way that City staff have determined will have a limited impact on the community. Event promoters are not required to use pre-approved routes, but approximate resources and requirements associated with traffic control for each pre-approved route are available to event applicants. The City may add additional routes to the list of those that are pre-approved as such routes are presented and administratively approved.

5.3 Approval of longer race routes. All routes for race events that are more than 5 kilometers will be reviewed administratively on an individual basis.

5.4 Communication of race information. The Manager will provide information to the public on scheduled races by supplying information to local media about such events. The Manager will also provide such information to be placed on the calendar maintained on the Run Wichita website or to any other group that provides a central repository for details about race events occurring in Wichita.

5.5 Availability of City staff. The Manager will maintain a list of City staff for coordination, notification and collaborative purposes that includes representatives from the various City departments who are necessary to the coordination of race events.

6.0 Application and Scheduling of Event:

6.1 Application required with traffic control plan. A Community Event application for a race event must be completed and filed with The Manager as set forth in Section 3.11.060 of the City Code.

6.2 Traffic Control Plan. In addition to the information required by the Community Event application, the Applicant shall submit a detailed Traffic Control Plan to be reviewed by City staff. Failure to do so will result in denial of a race event Permit. Such plan shall include:

- The proposed route, including a complete list of roads, sidewalks, trails and right of way to be used. The start and finish lines and direction in which the race event participants will move should be indicated.
- A routing plan that shows the streets or portions thereof requested to be closed to vehicular traffic during the race event. This should include a plan to resolve any potential conflicts with people needing access to residences, businesses, gathering places and any public facilities.
- Proposed locations for barricades, signs, volunteers and police.
- Directional signage during a race event will comply with the provisions of Section 3.11.140 of the City Code. All barricades must be manned with either police or volunteers and City staff will work with the applicant to determine where police will be required. **Only certified law enforcement officers may direct traffic on the streets and highways of the City of Wichita. Private Security Officers or citizens may not engage in such activity.**

- The timeline of the street closures. The City can assist in this determination.
- The plan should take into account that a 15-foot wide emergency access lane is required throughout the event site.
- The plan should take into account that pedestrian access must be maintained on public sidewalks throughout the route.

6.3 Time limits for applications. An application for a race event must be turned in no later than 60 calendar days in advance of the date of the race event. No application for a race event will be accepted more than 180 calendar days in advance of the event.

6.4 Late applications. In the discretion of The Manager, an application that is filed less than 60 calendar days in advance of the date of a race event but more than 45 calendar days in advance of the race event may be accepted with payment of an additional fee to expedite such late application, and if it is determined that there will be no unreasonable public safety concerns and that the race event can be effectively managed and accommodated by the various public agencies involved. Absolutely no application for a run event will be accepted by The Manager less than 45 calendar days in advance of the date of the race event.

6.5 Reservation of dates. A preferred client approach will be used to schedule both dates and routes for race events. Approval priority will be given as follows:

- First to recurring annual race events that have a history of 5 or more years with the City OR to a local promoter who has held successful race events and has at least 5 years of experience with race events;
- Second to race events being conducted by a local promoter for a charitable group that is a 501(c)3 organization and which has some sort of historical presence in the city, as determined by The Manager; and
- Third to local promoters who have a history of less than 5 years with the City.

6.6 Conflicts. If two or more applicants request the same date and/or route and none fall into a preferred category as set forth in Regulation 6.5, a lottery system will be used by The Manager to determine the scheduling of the event. However, if an application for a race event has been submitted for a specific date and/or route but is awaiting approval, no other applications will be accepted for that same date and/or route until a decision on the first application submitted has been made.

6.7 No confirmation of event until Permit is approved. The submittal of an application does not constitute a valid Permit. No date for a race event shall be considered confirmed until an Applicant has fully complied with all necessary requirements and the Permit has been approved and issued by the City.

7.0 Fees. Fees for all race events shall accompany the application and shall be subject to the provisions of Section 3.11.070(a) and (b) of the Code. Fees shall be in an amount as set forth in Resolution No. 09-175. Any race event application that is submitted less than 60 calendar days

in advance of the race event but more than 45 calendar days in advance of the race event shall require an additional administrative fee of \$75.00 to expedite the application.

8.0 Permit Process:

8.1 Planning meeting required. A meeting with all necessary City staff to review the race event and assess the site and traffic control plans may be required. Failure to attend such a meeting or failure to adhere to site or traffic control plans as permitted may result in the denial or revocation of the race event permit and non-issuance of future race event permits.

8.3 Insurance required. Applicants for race event permits must provide proof of compliance with the insurance requirements set forth in Section 3.11.130 of the City Code. Proof of insurance must indicate that coverage in the required amounts will be in effect **on the date of the race event** for a permit to be issued.

8.4 Notification policy. Street closures for race events must be approved by the City Council, and will follow the process set forth in Section 3.11.150 of the City Code with the following additional requirements:

- Written notification regarding street closures for run events shall be made to all property owners and occupants/residents affected by the street closing in such a manner that such notification is received no more than 6 weeks in advance of the date of the closure. Notification by email is an acceptable for compliance with this requirement.
- The content of all written notifications required by this regulation shall be approved in advance by The Manager.
- The notification should be prepared on paper or postcards using colors that are highly visible. In addition to the statement required by Section 3.11.150(b)(2) regarding contacting the City, the notice should include the name of the event, any sponsoring organization, the date and timeframe of the event, the name and contact information (phone number and email address) of the event organizer and any website associated with the event. The notice will also include the names of all streets that will be closed for the event, however, it will be deemed acceptable compliance with this requirement if the notice directs the recipient to a website that lists all streets that will be closed for the event.
- Proof of compliance with this requirement shall be provided by the applicant and will be strictly enforced before a race event permit is approved.
- All other provisions of Section 3.11.150(b)(2) are applicable to the written notice required to affected property owners and residents in advance of a race event provided, however, the request for street closure shall be set for a hearing in front of the City Council for final determination under the following circumstances:
 - For race events that are 5 kilometers in length or less, if either 10 or more business owners or 20 or more residents/occupants affected by the street closure object to or express disapproval thereof; or

- For races events over 5 kilometers in length, if 30% or more of any property owner or resident/occupant affected by the street closure object or express disapproval thereof.

8.5 Advance signage. Applicant will be responsible for placement of temporary advisory signs along the race event route at locations where the closure of the street may cause a significant impact on business, residents or persons using the street to be closed. City staff will make the determination regarding where and how many signs must be placed. All signs must be in place at least 14 days prior to the date of the race event. The City has signs that may be rented by applicants to be used for this requirement.

8.6 Clean up. The applicant is responsible for prompt clean-up of all public property utilized by a race event at the conclusion thereof, as set forth in Section 3.11.150 of the City Code. Additionally, any pavement markings on public property must be made in chalk or other temporary medium. If pavement markings remain visible after one month, the applicant will be required to pay for removal thereof.

9.0 Limitations on Race Events:

9.1 Limitation on events using same route. Race events using the same routes or routes within the same general geographic area, particularly those involving heavily used streets and highways, should not be scheduled on the same or subsequent days or on subsequent weekends.

9.2 Limitation on number of events on any given weekend. No more than one race event that involves a distance of over 10 kilometers or more will be scheduled in any one weekend. Scheduling of any race event may also be limited by the presence of other previously scheduled community events in the City. In imposing any such limits, The Manager will consider if there are public safety concerns or if the events can be effectively managed and accommodated by the various public agencies of the City.

9.3 Hours of operation for race events. Race events shall be scheduled only during the following hours:

- Between the hours of 7:00 a.m. and 10:00 a.m. on Saturdays
- Times for race events scheduled on Sundays and on weekdays shall be reviewed on an individual basis, taking into account public safety concerns and the impact of such race as far as inconvenience to residents, businesses, places of worship and learning and other regular users of public facilities and property.

9.4 Allowance for passage of emergency vehicles and/or other traffic. Any event website, brochure, course maps or other written information regarding a race event shall clearly state the following, **“Please note that non-contending/slower participants may be asked to stop along the course to allow traffic or medical/fire/police emergency vehicles to pass. Thank you for your cooperation, City of Wichita Community Event Office.”**

10.0 Review Process:

10.1 Criteria for issuance of Permit. A Community Event Application for a race event shall be administratively reviewed for approval pursuant to the criteria set forth in Section 3.11.080 of the City Code.

10.2 Additional criteria for approval of race events. In addition to the criteria set forth in Section 3.11.080, a race event permit may be denied by The Manager for any of the following reasons:

- Another event is scheduled at the same time/location.
- The Event does not comply with limitations set forth in Regulation 8 herein.
- The Traffic control plan submitted by the applicant does not comply with the requirements of Regulation 6.2.
- The applicant has failed to supply any of the documentation required by the regulations set forth in this document.
- The applicant has failed to comply with any of the regulations set forth in this document.

10.3 Denial of permit. An application for a race event permit may be denied by The Manager for any of the reasons set forth in Section 3.11.080 of the City Code. Additionally, a race event permit may be denied for failure to meet the additional criteria for approval set forth in Regulation 9.2 herein.

10.4 Appeal of denial of permit. Any applicant aggrieved by the denial of a community event race permit may file an appeal of such denial by following the process set forth in Section 3.11.110 of the City Code.

11.0 Revocation of permit:

11.1 Revocation process. Any community event permit issued for a race event may be revoked pursuant to the process set forth in Chapter 3.11.105 of the City Code. Additionally, a race event permit may be revoked for failure to meet the additional criteria for approval set forth in any Regulation in this document.

11.2 Appeal of revocation of permit. Any permit holder aggrieved by the revocation of a community event race permit may file an appeal of such revocation by following the process set forth in Section 3.11.110 of the City Code.

11.3 Fraudulent information. Willful submission of inaccurate, false or fraudulent information on an application for a permit for a race event or regarding any aspect of the permit process shall automatically revoke the permit.

12.0 Veto - Public Safety is Ultimate Concern:

12.1 Any portion or aspect of a race event may be vetoed by The Manager or any other City staff involved in the administrative review of such applications if, in the opinion of The

Manager or such staff, the portion or aspect of the race event poses an unreasonable risk of injury or danger to the public.

12.2 Such veto shall be exercised prudently and an event promoter will be given an opportunity to revise any objectionable portion of such event. However, public safety must ultimately be the responsibility of the Wichita Police Department and related public agencies.

13.0 Waiver of regulations - Public Safety: Unless otherwise stated, The Manager may, for good cause shown, waive certain requirements set forth in this document. However, because public safety is the highest priority, The Chief of Police and the Director of Public Works, or their authorized designee, will have final say over public safety requirements, including street closure requests.

14.0 Penalty:

Failure to comply with these Regulations, or failure to carry out any condition or requirement placed on a race event as allowed in these Regulations, may result in the denial of applications for future community event and race event permits as set forth in 3.11.090 of the City Code and amendments thereto.

15.0 Annual Policy Review.

The Manager will facilitate a review of this document by the Community Events Task Force and other pertinent City staff on an annual basis in light of the prior year's experience. Input from stakeholders will be solicited as a part of this process and suggested changes, if any, will be administratively reviewed for inclusion in these Regulations.